

**TOWN OF LOS GATOS
CALIFORNIA
TOWN COUNCIL/PARKING AUTHORITY
JOINT REDEVELOPMENT AGENCY
JANUARY 20, 2004 / MINUTES**

Los Gatos Civic Center
110 E. Main Street
Los Gatos, CA 95030

TIME	ITEM	ACTION ON ITEM
7:00 PM	TOWN COUNCIL	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town Hall, 110 East Main Street, at 7:00 p.m., Monday, January 20, 2004, in a joint regular session.
7:01 PM	ROLL CALL	Present: Sandy Decker, Diane McNutt, Joe Pirzynski, Mike Wasserman and Mayor/Chairman Glickman. Absent: None
7:02 PM	PLEDGE OF ALLEGIANCE	The audience was invited to participate in the Pledge of Allegiance.
7:03 PM	CLOSED SESSION	Town Attorney, Orry Korb, reported that Council had met in Closed Session prior to this evening's meeting pursuant to Government Code Section 54956.8 regarding Conference with Real Property Negotiator concerning property at 20 Dittos Lane negotiating price and terms of payment between Town of Los Gatos and Milt Mintz representing the property owners. Council gave direction to Town's negotiator. There was no reportable action taken. Pursuant to Government Code Section 54957.6 regarding Labor Negotiations . Town Negotiator: Gary Rogers, Human Resources Director. Employee Organizations: Town Employees' Association (TEA); AFSCME; Confidential Unit; and Management. Council gave direction to Town's negotiator. There was no reportable action taken.
7:01 PM	PRESENTATIONS	PRESENTATIONS
	COMMENDATION PARK COMMISSION	Mayor Glickman presented a Commendation from the Town to Steven Graham for his year of service on the Parks Commission.

TIME	ITEM	ACTION ON ITEM
	BUSINESS RECOGNITION	Mayor Glickman presented a Commendation from the Town to Dave Lucia of Lunardi's Market for the demonstration of community service that this business has shown. Mr. Lunardi was present to receive the commendation and thanked the Town for the opportunities to serve and noted his commitment to continue his service to the Town in the years to come.
7:04 PM	CONSENT ITEMS	CONSENT ITEMS
	ITEM 1 SCHEDULE OF PUBLIC HEARINGS	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council accept and file informational report regarding currently scheduled public hearings. (01.28)
	ITEM 2 PAYROLL RATIFICATION FOR NOVEMBER AND DECEMBER 2003	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council ratify the check register for payroll of December 7, 2003 through December 20, 2003 paid on December 26, 2003 in the amount of \$575,792.84. Carried unanimously. (02.V)
	ITEM 3 ACCOUNTS PAYABLE RATIFICATION FOR NOVEMBER	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council ratify the check register for accounts payable invoices paid on December 26, 2003 and January 9, 2004 in the amount of \$875,053.93. Carried unanimously. (03.V)
	ITEM 4 TREASURER'S REPORT	Motion by Mr. Wasserman , seconded by Mrs. Decker, to accept Treasurer's reports for Fourth Quarter 2003. Carried unanimously. (04.02)
	ITEM 5 COUNCIL MINUTES DECEMBER 15, 2003	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council approve the Minutes of December 15, 2003 Joint Regular Meeting. Carried unanimously. (05.V)
	ITEM 6 TRAFFIC CALMING FOR LONGRIDGE	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council approve temporary traffic calming proposal for Longridge Road. Carried by a vote of 4 ayes. Mr. Glickman abstained due to a possible conflict of interest. (06.41)

TIME	ITEM	ACTION ON ITEM
7:04	CONSENT ITEMS	CONSENT ITEMS CONTINUED
	ITEM 7 BLOSSOM HILL MANOR #11 ANNEXATION	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council accept report noticing the rescheduling of the public hearing concerning the reorganization of uninhabited territory to the Town of Los Gatos known as Blossom Hill Manor #11. Carried unanimously. (07.26)
	ITEM 8 MANAGEMENT COMPENSATION PLAN RESO 2004-01	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council adopt Resolution 2004-01 entitled, <u>RESOLUTION OF TOWN OF LOS GATOS AMENDING THE FISCAL YEAR 2003-2004 MANAGEMENT COMPENSATION PLAN TO ADJUST THE HEALTH INSURANCE CASH ALLOCATION, AMEND THE ADMINISTRATIVE LEAVE PROVISION, AND ADJUST COMPENSATION FOR POLICE SERGEANTS.</u> Carried unanimously. (08.29)
	ITEM 9 TRACT 9122 BLOSSOM HILL RD. COMPLETION NOTICE RESO 2004-09	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council adopt Resolution 2004-09 entitled, <u>RESOLUTION OF TOWN OF LOS GATOS ACCEPTING WORK OF SUMMERHILL BLOSSOM, LTD., FOR TRACT 9122 - 14734 BLOSSOM HILL ROAD - AND AUTHORIZING THE TOWN MANAGER TO EXECUTE CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY TOWN CLERK.</u> Carried unanimously. (09.26)
	ITEM 10 RESERVOIR ROAD	This Item was pulled to be discussed after the Public Hearings.
	ITEM 11 11 COLLEGE AVE. RESO 2004-10	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council adopt Resolution 2004-10 entitled, <u>RESOLUTION OF TOWN OF LOS GATOS APPROVING A REQUEST TO MODIFY AN EXISTING CONDITIONAL USE PERMIT TO EXPAND FROM BEER AND WINE TO FULL LIQUOR SERVICES ON PROPERTY ZONED C-2. CONDITIONAL USE PERMIT APPLICATION: U-04-6. PROPERTY LOCATION: 11 COLLEGE AVENUE. ASSESSOR'S PARCEL NUMBER: 529-29-052. PROPERTY OWNER: DAVE FLICK. APPLICANT: TAPESTRY RESTAURANT, LP.</u> Carried unanimously. (11.15)

TIME	ITEM	ACTION ON ITEM
	ITEM 12 10 MONROE COURT ORDINANCE 2124	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council adopt Ordinance 2124 entitled, <u>ORDINANCE OF THE TOWN OF LOS GATOS AMENDING THE ZONING ORDINANCE EFFECTING A ZONE CHANGE FROM RM:12-20 TO RM:12-20:PD AT 10 MONROE COURT</u> , which was introduced at the Council meeting of January 5, 2004. Carried unanimously. (12.15)
	ITEM 13 NPDES PERMIT ORDINANCE 2125	Motion by Mr. Wasserman , seconded by Mrs. Decker, that Council adopt Ordinance 2125 entitled, <u>ORDINANCE OF THE TOWN OF LOS GATOS AMENDING THE TOWN CODE SECTION 22.30.010 AND 22.30.035 TO COMPLY WITH REQUIREMENTS OF PROVISION C.3 OF THE TOWN'S "NPDES" PERMIT</u> , which was introduced at the Council meeting of January 5, 2004. Carried unanimously. (13.40)
	REDEVELOPMENT	REDEVELOPMENT AGENCY
	ITEM 14 ACCOUNTS PAYABLE RATIFICATION	Motion by Mr. Wasserman , seconded by Mrs. Decker, that the Agency ratify the check register for accounts payable invoices paid on December 26, 2003 and January 9, 2004 in the amount of \$10,863.03. Carried unanimously. (14.V)
	COUNCIL/AGENCY	TOWN COUNCIL/REDEVELOPMENT AGENCY
	ITEM 15 AFFORDABLE HOUSING	Motion by Mr. Wasserman , seconded by Mrs. Decker, that the Town Council/Redevelopment Agency accept the report on affordable housing activities. Carried unanimously. (15.39)
	ITEM 16 MINUTES JANUARY 15, 2004	Motion by Mr. Wasserman , seconded by Mrs. Decker, that the Town Council/Redevelopment Agency approve the Minutes of the Joint Regular Meeting January 15, 2004 as submitted. Carried unanimously. (16.V)
7:05	COMMUNICATIONS	VERBAL COMMUNICATIONS
7:06	SPEAKER	Clark Cochran , spoke on Town Policy regarding development projects in Town. He noted that paid lobbyists are now working on some of these projects. He asked that the Town publicly clarify its rules, regulations and policies on how it works with lobbyists, and how it deals with lobbyists and others paid to influence Town decisions.

TIME	ITEM	ACTION ON ITEM
7:06	COMMUNICATIONS	VERBAL COMMUNICATIONS CONTINUED
7:09	SPEAKER	Ray Davis noted that he did not stand for the pledge of allegiance because he believes that he was unfairly arrested at the Civic Center for disturbing the peace. He also spoke of safe routes to schools for children and noted Los Gatos Boulevard and Shannon Road crossing.
7:12	SPEAKER	Dave Weissman spoke of the approval and adoption of the new Hillside Standards and noted that Council action was delayed to this meeting because of the late hour two weeks ago. He asked Council to be aware that the same thing was about to happen this evening and asked for this subject to be agendized to a date and hour that discussion can proceed in an informed manner with appropriate public review and opportunity for input.
7:14	SPEAKER	Chuck Novillo spoke of the fence line on his property and his difficulty working with the City of Monte Sereno regarding his property line and water runoff.
	OTHER BUSINESS	OTHER BUSINESS
7:16 PM	ITEM 17 PARKS AND SPORTS FACILITIES	PARK USAGE FOR ORGANIZED SPORTS (17.33) Mayor Glickman announced that this was the time and place so noted to receive public input and consider whether to allow park usage for sports facilities.
	STAFF REPORT	Pamela Jacobs , Assistant Town Manager, reported on past efforts regarding a skateboard park and locations for other organized sports activities.
	COUNCIL COMMENTS	Council Commented that there is no current Town policy restricting organized recreational use within our parks. The Town has been faced with the practicalities of and identifying locations and funding sources for sports facilities.
7:25 TO 8:45 PM	ITEM 17 30 SPEAKERS REGARDING PARK USAGE	30 SPEAKERS ON ITEM 17 – REGARDING PARK USAGE (To be continued on page 6 following)

TIME	ITEM	ACTION ON ITEM
	SPEAKERS	SPEAKERS ON ITEM 17 CONTINUED
7:24	“	Donovan Dresti asked that skateboard parks be instituted as soon as possible. He spoke of the professional boarders and non professional who are attending State Championship events.
7:25	“	Dorothy Shattuck spoke against organized activities in our parks. She prefers peaceful and quiet parks and would like to eliminate all organized activities such as movies, events, skateboards and soccer.
7:26	“	Edward San Juan spoke of the growth of the Soccer Leagues during the past ten years and the fact that the teams are now in competition for the available space and fields. He noted that several fields that had been available in the past have now been eliminated due to other usage of the property. He spoke of the leagues paying \$30,000 a year for the use of some fields, and asked for any help possible from the Town and community in working on this problem.
7:32	“	Jerry Smith spoke of the need for dedicated soccer facilities in the area. He noted the numbers of local players that must travel to other communities in order to participate. He submitted a letter in support from his wife, Brandi Chastain , a professional soccer player.
7:40	“	Martin Hall supports identifying areas that could be used for fields, either public space or private. He feels that private development could contribute to addressing this issue.
7:42	“	Jim Arrasmith had the Los Gatos Soccer League, both parents, supporters and participants identify themselves in the audience. He noted that a regulation size soccer field is approximately two acres.
7:47	“	Jose Mass spoke of the noise generated by the soccer field by his home. Previously he had a quiet peaceful neighborhood. Now the parking, noise and screaming was impacting his property and intruding through closed windows and doors.
7:49	“	Ray Davis suggested working with neighboring cities to plan and participate in the development of a skateboard park. Resources and space could be shared to meet the needs of more users.
7:56	“	Michael Kane spoke of the children that need these various recreational facilities, soccer fields and skateboard parks.

TIME	ITEM	ACTION ON ITEM
	SPEAKERS	SPEAKERS ON ITEM 17 CONTINUED
7:52	“	Paul Cote speaking for the business owners suggested that they may wish to contribute to a skateboard park that would help keep boarders from skating in, on and around the business community. He believes the use of bidding procedures can greatly lower the cost estimates.
7:58	“	Suzanne Cochran spoke in support of organized soccer teams and identification of more fields and dedicated soccer facilities.
8:00	“	Melissa Morrissey spoke of skateboarding as an individual sport that helps push an individual's strengths. She asked for a dedicated skateboarding site in Town, which would be easily available to our youth and which would keep them safe and away from the business community.
8:02	“	Jan Eric Nordmo spoke of the soccer league and the need to support the various teams. Proposed bringing an all weather surface field to the school's current field.
8:04	“	Michael Karr spoke of the growth in soccer programs throughout the valley, the need for more fields, sports facilities and specifically some additional dedicated identified space within Los Gatos.
8:08	“	Jonny Holst asked for a skateboard facility in Town that boarders could get to on their own. Noted that this would keep them off the business properties which tends to cause problems when they are there. It would also allow them to get to the park without having to wait for parents or others to offer them a ride.
8:10	“	Eric Richwein , agreed with the last speaker's sentiments.
8:11	“	John Shuler spoke in support additional soccer facilities.
8:13	“	Kyle Lanza spoke of the depletion of available land and the increasing need for additional recreational facilities. He suggested identifying possible locations for fields and parks; establishing methods for financing these locations; and requesting both private funding and funding from developers.

TIME	ITEM	ACTION ON ITEM
	SPEAKERS	SPEAKERS ON ITEM 17 CONTINUED
8:15	“	Egon Jensen long time soccer fan and supporter of sports activities questioned the way this issue arrived on the agenda. He asked that this subject be brought forward through regular channels to the Council and the public.
8:19	“	Tim Garvey a dedicated downtown skateboarder would prefer to have a skateboard park to frequent and practice in.
8:20	“	John Tice questioned the safety issues that arise around a skateboard park, both with its use, and with its accessibility. He also suggested that the High School be asked to participate in offering land for the use of soccer field activities.
8:23	“	Jim Doss spoke in support of skateboarding and the need for a dedicated facility.
8:25	“	Carla Dougher spoke against spending taxpayers money for individual sports facilities. She believes that these types of activities should be supported by private enterprise and development. She believes the current public parks should be left as areas for the total community to enjoy.
8:27	“	Katie, Angela and Mish spoke in support of the soccer fields.
8:29	“	Roy Reichwein spoke in support of additional facilities to play soccer locally and to support the children in their sports endeavors. He also would like to see a dedicated skateboard park locally so the children would not have to travel to reach one.
8:34	“	Camille Lesko noted that the present fields within Los Gatos leave a great deal to be desired and requested some consideration of the issue.
8:37	“	Alex Waite supported both skateboard parks and soccer fields.
8:40	“	Chris Miller asked that all present resources be readdressed and especially the Miles area maintenance yard. He believes that a reconfiguration of Miles Avenue property could supply some recreational facilities space.
8:41	“	Karen Delovmi spoke of the needs of parents to have a safe, and legal space for their children to use skateboards in Town.
8:42	“	Michael Delovmi asked for just a small part of Los Gatos for a skateboard park.

TIME	ITEM	ACTION ON ITEM
8:45	ITEM 17 COUNCIL COMMENTS	COUNCIL COMMENTS AND CONSENSUS ITEM 17 CONTINUED
		Council Comments: <ul style="list-style-type: none"> * To re-review the past studies done on this issue * To investigate the cost and resources involved * To consider the liabilities attached * To review the previously identified available land * To reconsider land not previously deemed acceptable * To reevaluate the possible revenue streams * To not isolate a park and parking lot to just soccer use * To be considerate of our small and beautiful parks and the community use they are currently experiencing * Ask the community to share and participate * Ask how this can become a community strengthening project * Use short range and long term implementation strategies * Be mindful of our current resource pool
9:00	ITEM 17 CONSENSUS	COUNCIL CONSENSUS to pursue this subject at the Council retreat. Public to be notified as Council moves forward. Community participation sought and amount of current resources acknowledged.
9:01	RECESS CALLED	Mayor Glickman called a five minute recess.
9:07	ITEM 18 14300 WINCHESTER BOULEVARD SOBRATO DEVELOPMENT	14300 WINCHESTER BLVD/SOBRATO DEVELOPEMENT Mayor Glickman announced that this was the time and place duly noticed for holding a public hearing to consider a request to modify an approved Planned Development relating to the allowed square footage of office space and number of apartment units on property zoned CM:PD. APN 424-32-068. Property Location: 14300 Winchester Blvd. File #PD-03-01. Property Owner/Applicant: Sobrato Development Companies. (18.15)
	STAFF	Bud Lortz , Director of Community Development, gave an overview and history of this project.
	APPLICANT	John Shenk, Bob Gianini, and Paul Ateri representing Sobrato Development Company, spoke of the changes and work done to create a handsome and creative project. They noted reductions in mass and scale and also the community benefit of 14 additional BMP units. They reconfirmed the project's conformance to the General Plan.

TIME	ITEM	ACTION ON ITEM
9:25	ITEM 18 CONTINUED	14300 WINCHESTER BLVD/SOBRATO DEVELOPMENT ITEM 18 - CONTINUED
	COUNCIL COMMENTS	Council Comments: * The Town Wide Traffic Impact Mitigation Fee can be used anywhere in Town on a priority project identified by Council and placed in the annual Capital Improvement Program * There was a suggestion to move 25 BMP units to the Riviera Terrace apartments. * The current proposal has addressed some of the height, size and mass
	SPEAKERS	SPEAKERS FOR ITEM 18 - SOBRATO DEVELOPMENT
9:59	“	Jim Derryberry , speaking for the Chamber of Commerce, supported the Sobrato Gateway proposal. He spoke of the potential for successful local companies to expand and remain in Town, and of the provision within the development for affordable housing. This particular project addresses economic viability and housing affordability and the modified proposal more closely meets the current needs of Los Gatos.
10:07	“	Dorothy Shattuck inquired as to the renovation of apartments in her neighborhood which is near the Riviera Terrace apartments mentioned in the Sobrato proposal. She asked about Vasona Station and the VTA proposal for a light rail station to support the Sobrato Gateway project.
10:10	“	Ray Davis spoke of the rejection of this project by the Planning Commission. Asked for Council to establish a Park Ordinance so that every new development will be assessed a development impact in lieu fee for the establishment and maintenance of the Town parks system.
10:12	“	Dave Weissman asked that additional open space be required of this project. He does not see enough space dedicated to play areas for children. He also believes that three stories does not fit with the character of Los Gatos.
10:14	“	Michael Silva has been following this development from the beginning and is pleased with the changes that have been made and with the people who have been answering his questions and keeping him abreast of the ongoing project development. He is pleased with the latest focus on housing and finds the suggestion of an independently developed skateboard park in the vicinity a novel idea.

TIME	ITEM	ACTION ON ITEM
	ITEM 18 SPEAKERS CONTINUED	14300 WINCHESTER BLVD/SOBRATO DEVELOPMENT ITEM 18 - CONTINUED
10:17	“	Dale Hill , representing League of Women Voters, supports the Sobrato project with the amended proposal, based on their housing position. She spoke of the need to locate housing in compact areas due to lack of sufficient land to support needed housing. The League believes that VTA will eventually bring the light rail line to Los Gatos and to the established Gateway project with the properly designed housing to take advantage of the light rail transportation.
10:22	“	Jack Bonno , representing Charter Oaks, spoke of the one way ingress and egress to Charter Oaks on Charter Oaks Drive. He addressed the traffic impact on Lark Avenue due to the density of the proposed Sobrato project. He asked for relief for his neighborhood and for a traffic mitigation plan for the intersection of Charter Oaks and Lark which is a location that will be specifically impacted by the Sobrato project.
10:25	Council Consensus	**Council Members Pirzynski, Glickman and Decker noted that both Charter Oaks and University at Lark need to be evaluated for traffic mitigation and impact relief.
10:27	“	Noa Sklar spoke of mass, height, and impacts to her home. She spoke of lack of Los Gatos charm including the increased traffic due to this project which also takes away from the charm and life style of our Town.
10:29	“	Tamara Shelton , representing Greenbelt Alliance, spoke of the ability to protect the open space by being able to build more compactly in the urban centers. There is insufficient space for the populace to all have single family homes. Urban planning must preserve the open space for everyone's benefit and allow for more centralized compact housing to continue to meet established housing goals.
10:36	“	Laura Stuchinsky , speaking on behalf of the Silicon Valley Manufacturing Group, noted that this project will allow for triple the amount of affordable housing in Los Gatos providing 48 homes to be rented at below market rate. The project is centered near the future light rail station and a major bus stop. It is also buffered on all sides from single family neighborhoods.
10:45	ITEM 18 SPEAKERS CONTINUED	Margaret Bard , Housing Action Coalition, supports the proposal and the ability of this project to offer local housing to the people who work in Los Gatos like teachers, nurses, police officers and firefighters.

TIME	ITEM	ACTION ON ITEM
10:48	“	Mary Hughes , supports the modified plan which offers more housing and affordable rental units.
10:49	“	Beverly Bryant , supports the addition of more homes with this modified plan. This project is near public transportation, adjacent to walking trails, and available and affordable to families, singles and seniors.
10:51	“	David Andris , representing South Bay Development, owners of the adjacent property, are in full support of the modified proposal.
10:53	“	Jonathan Carter , supports the proposal with the additional residential units and below market rental units.
10:54	“	Patrick Lamey , spoke in support of the current proposal and the additional housing units available for our residents and employees.
10:56	“	Carla Dougher asked about the recreational facilities for children that this project should be able to address and supply. She believes the proposal is far too dense and believes that the equity of privately owned homes would be far superior to the density of affordable rentals. She asked that Council demand a project that will fill the needs of the community more completely.
10:59	“	Leonard Pacheco , spoke of the need for more work to be done on this project. He believes that scale, mass and height need to be handled in a different manner and that there needs to be more access to the open space by the creek so that residents can see and enjoy the creek trail.
10:01	“	Don Gralnek spoke in support of both proposals and supports them both for different reasons.
10:02	“	Shiloh Ballard , representing the Housing Action Coalition, spoke in support of the amended proposal, and of the broader community need for housing. She also noted that this project is able to address a portion of these needs.
11:06	“	Janis Maurry spoke against the density and height, and would prefer to see homes for sale in this project rather than low cost rentals.
11:07	ITEM 18 SPEAKERS CONTINUED	Clark Cochran spoke regarding increased population in Los Gatos, density and the belief that people want affordable houses rather than low cost rentals. He spoke of the need for additional open space.

TIME	ITEM	ACTION ON ITEM
11:09	“	Suzanne Cochran pointed out the density of the proposal. Requested more time to work on recreational open space within the development and the planning of shops that would add to the ambiance of living in such an apartment complex. She asked that the application be sent back to ask for more amenities for the Town.
11:11	“	Kyle Lanza spoke of traffic impacts and the need to send the whole application back to the Planning Commission to readdress the needs of the Town and the acceptable ambiance for this Gateway project.
11:13	CLOSED HEARING	Mayor Glickman closed the public hearing.
11:14	APPLICANT'S CLOSING STATEMENTS	Mr. Shenk responded to comments, and spoke of the 14 additional BMP units offered to the Town and the total 34 units that will be distributed throughout the project. He also addressed the VTA's support in a required density to justify a linking light rail station, and noted the almost double amount of required open space that is being provided. He also addressed the three year process of working on and adjusting this project for the benefits of all concerned. The housing will address a mix of people and economic status, and the retail component will only be able to improve as the project moves forward.
11:20	COUNCIL COMMENTS AND CONSENSUS ITEM 18 SOBRATO	COUNCIL COMMENTS AND CONSENSUS <ul style="list-style-type: none"> * The amended proposal is better than the first one approved * This project provides for the future arrival of a transportation station * This project improves and enhances the opportunities for people to enter our community with affordable housing * This project allows for transit options for the Town * The amended proposal offers more detail than the first option * This project will have quality of design * The applicant is willing to follow through on all Town mandates * There will be some flexibility for retail if desired such as coffee bar, dry cleaners, Jamba Juice etc.. * Conditions should include a shuttle service or equivalent to the neighboring VTA transit station * Conditions could include emergency call boxes on the trail * Conditions could call for an emergency call system for the police department * BMP units need to be carefully monitored so none are lost * Additional open space, water fountain, or park area to be watched for and developed

TIME	ITEM	ACTION ON ITEM
11:53	PAST MIDNIGHT	Motion by Mrs. Decker , seconded by Mike Wasserman, to continue this meeting past midnight and to continue Items 19 and 20 to February 2, 2004, and have these items moved to the front of the agenda. Carried unanimously.
11:57	ITEM 18 CONTINUED SOBRATO DEVELOPMENT STAFF COMMENTS	14300 WINCHESTER BLVD/SOBRATO DEVELOPMENT ITEM 18 - CONTINUED STAFF COMMENTS ON CONDITIONS: <ul style="list-style-type: none"> * Applicant has requested that the current rules for the BMP units be included in the Planned Development approval * Town does not want wheel stops that applicant requested for garage * The water fountain will be situated on the Sobrato property * Applicant will attend to improvements at the Knowles Drive railroad crossing at the Winchester driveway location * The applicant will pay for the sidewalk improvements along the front of the property
12:00	MOTION AND FINDINGS	Motion by Mr. Pirzynski , seconded by Mr. Glickman, to make the findings as indicated in Attachment 1 of this evening's staff report as follows: That the Planned Development, Application PD-03-1, 14300 Winchester Boulevard, shows the required consistency with the Town's General Plan, and that the proposed Zone Change is internally consistent with the General Plan and its Elements. Motion Carried by a vote of 3 ayes. Mrs Decker and Mr Wasserman voted no.
12:01	MOTION AND CONDITIONS	Motion by Mr. Pirzynski , seconded by Mr. Glickman, to approve subject to the conditions included in the Planned Development Ordinance as indicated in Attachment 2 of this evening's staff report, and as clarified by Director of Community Development, Bud Lortz in the comments under conditions. Maker of motion comments: <ul style="list-style-type: none"> * There will be 51 BMP's rather than the 48 originally planned * A community should be created that reflects all aspects of that community, including those on a lower economic strata at this time in their lives * It will demonstrate a self contained community that is beneficial, interesting and intriguing for those who choose to come to this development to live and work Town Attorney qualifies motion as follows: Conditions to be modified are 36B, 58, 73, 109, pursuant to the recommendations of staff as found in the desk item discussing these conditions and dated January 20, 2004. - Continued on next page -

TIME	ITEM	ACTION ON ITEM
12:20	MOTION AND CONDITIONS CONTINUED	<p>14300 WINCHESTER BLVD/SOBRATO DEVELOPMENT ITEM 18 - CONTINUED</p> <p>Motion Continued:</p> <ul style="list-style-type: none"> * A phasing plan shall be provided as part of the Architecture and Site approval process to provide landscape and other attractive low maintenance improvements at the future phased locations * A change in the mix of 10 larger units to studio units and one bedroom units to be determined at Architecture and Site approval is allowed * Retail use is also authorized subject to approval of an Architecture and Site application that would determine the location and square footage that is otherwise consistent with this ordinance <p>Motion Carried by a vote of 3 ayes. Mrs. Decker and Mr. Wasserman voted no for reasons of community benefits and need for further modifications.</p>
12:29	COUNCIL STATEMENT	<p>Mr. Wasserman is not supportive of the present proposal. He would prefer that the first and second proposals blend together as one and be able to offer the R&D components, the affordable housing and the community benefits in one package.</p>
12:33	COUNCIL STATEMENT	<p>Mrs. Decker is not in favor of the present proposal and would like a lower and less dense project with more recreational and community benefits provided. She asked that this new proposal return to the Planning Commission for review.</p>
12:39	TITLE READ	<p>The Town Clerk read the Title of the Proposed Ordinance.</p>
12:40	WAIVED THE READING	<p>Motion by Mr. Pirzynski, seconded by Mr. Glickman, that Council waive the reading of the Proposed Ordinance. Carried unanimously.</p>
12:41	MOTION TO INTRODUCE THE PROPOSED ORDINANCE	<p>Motion by Mr. Pirzynski, seconded by Mr. Glickman, that Council introduce the Proposed Ordinance entitled, <u>ORDINANCE OF THE TOWN OF LOS GATOS AMENDING THE PLANNED DEVELOPMENT AT 14300-14350 WINCHESTER BOULEVARD (ORDINANCE 2095)</u>. Motion Carried by a vote of 3 ayes. Mrs. Decker and Mr. Wasserman voted no.</p>

TIME	ITEM	ACTION ON ITEM
	ITEM 18 CONTINUED	14300 WINCHESTER BLVD/SOBRATO DEVELOPMENT ITEM 18 - CONTINUED
12:42	MOTION CONTAINS AMENDMENTS	<p>The following amendments are a part of this motion:</p> <ul style="list-style-type: none"> * Condition #1 in Section 2 would be amended to add the following retail and child day care use is also authorized subject to approval of an A&S application that would determine location, square footage and occupancy in a manner that is otherwise consistent with this ordinance. * Conditions #36B, 58, 73 & 109 would be amended consistent with staff's recommendation found in the desk item dated January 20, 2004 concerning conditions. * A phasing plan shall be provided as part of the A&S approval process to provide landscape and other attractive low maintenance improvements in the phased areas. * Allow an adjustment of 10 larger BMP units to create studio and one bedroom units to be determined as part of the A&S approval process. * Capture the condition changes that were mentioned in the desk item. * Condition #4 to fix the BMP requirements at the Planned Development level. * If there are subsequent changes to the BMP regulations, they would not apply to this project. * Condition #53 concerning the sidewalk being incorporated into the project. * Condition #58 concerning the ECO pass. * Condition #109 as set forth in the desk item.
12:43	ITEM 10 RESERVOIR ROAD SPEAKER	<p>ITEM 10 - RESERVOIR ROAD CONSENT ITEM THAT HAD BEEN PULLED</p> <p>Ray Davis spoke about the geotechnical report for this item. He asked for drill piers and deep construction for the foundations. He questioned how deep the present fill is on this site.</p>
	MOTION FOR ITEM 10	<p>Motion by Mr. Pirzynski, seconded by Mr. Wasserman, that Council adopt Resolution 2004-01 entitled, <u>RESOLUTION OF TOWN OF LOS GATOS GRANTING AN APPEAL OF A PLANNING COMMISSION DECISION TO DENY APPLICATIONS TO REMOVE THE EXISTING RESERVOIR AND FACILITIES AND TO APPROVE A FOUR LOT SUBDIVISION ON PROPERTY ZONED R-1:20.</u> Carried unanimously. (10.15)</p>

TIME	ITEM	ACTION ON ITEM
	ITEM 19	COMMERCIAL DESIGN GUIDELINES This Item has been continued to the meeting of February 2, 2004.
	ITEM 20	HILLSIDE STANDARDS AND GUIDELINES This Item has been continued to the meeting of January 20, 2004.
12:56	ITEM 21 COUNCIL MATTERS	Mr. Wasserman thanked the many students who came to speak about athletic fields this evening.
12:57	ITEM 22 MANAGER MATTERS	There were no issues to be discussed this evening under this item.
12:58	ADJOURNMENT	Mayor Glickman adjourned this evening's meeting at 12:58 PM

ATTEST:

Marian V. Cosgrove
Town Clerk
Secretary to the Redevelopment Agency